

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DR. LISA BUON,

Plaintiff,

19-CV-6760 (NSR)

- against -

**NOTICE OF MOTION**

THE NEWBURGH ENLARGED CITY SCHOOL  
DISTRICT, ROBERT PADILLA, and DR.  
LISA M. SPINDLER,

Defendants.

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**PLEASE TAKE NOTICE**, that upon the Declaration of Caroline B. Lineen, sworn to on June 23, 2020 and the accompanying Memorandum of Law in Support, the defendants, THE NEWBURGH ENLARGED CITY SCHOOL DISTRICT, DR. ROBERTO PADILLA (*incorrectly sued herein as “Robert Padilla”*), and DR. LISAMARIE SPINDLER (*incorrectly sued herein as “Lisa M. Spindler”*), will move this Honorable Court on a date and time to be decided by this Court:

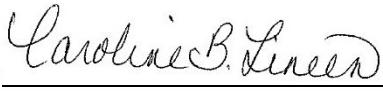
- 1) For an Order pursuant to Rules 12(b)(2) and (5) of the Federal Rules of Civil Procedure dismissing this action for lack of proper service and lack of personal jurisdiction over the defendants;
- 2) For an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing this action because the Amended Complaint fails to state a claim upon which relief can be granted against the defendant; and
- 3) For such other and further relief as this Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to this Court's April 24, 2020 Order, the plaintiff's opposition, if any, is to be served by July 23, 2020. The defendants' reply papers must be served and all motion papers must be filed by August 7, 2020.

Dated: White Plains, New York  
June 23, 2020

Respectfully submitted,

**SILVERMAN & ASSOCIATES**

By: 

Caroline B. Lineen  
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TO: Sussman & Associates  
Attorneys for Plaintiff  
*(Via First Class Mail and E-mail)*